
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
James J. Harzheim III)	File No. EB-07-LA-299
Licensee of Radio Station KI6AEV)	
)	NOV No. V20073290013
Covina, California)	
)	

NOTICE OF VIOLATION

Released: August 14, 2007

By the District Director, Los Angeles Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to James J. Harzheim III licensee of radio station KI6AEV in Covina, California.
2. On August 1, 2007, an agent of the Enforcement Bureau's Los Angeles Office monitored radio station KI6AEV located at 357 E. Greenhaven St., Covina, California, and observed the following violation:
 - a. 47 C.F.R. § 97.103(c) : "The station licensee must make the station and the station records available for inspection upon request by an FCC representative." After locating the licensee's station at his residence using direction finding techniques, Los Angeles agents confronted the licensee in front of his residence, while the station was still in automatic operation. The licensee refused to identify himself, refused to state his call sign, and refused to present his operator or station license.
3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, James J. Harzheim III, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by James J. Harzheim III. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 403.

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Los Angeles Office
18000 Studebaker Rd., Suite 660
Cerritos, CA 90703

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and regular mail to James J. Harzheim III at his address of record.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Catherine Deaton
District Director
Los Angeles District Office
Western Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*